

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JACOB ANGELO MASSEY,

Petitioner,

v.

ATTORNEY GENERAL OF THE STATE  
OF NEVADA, *et al.*,

Respondents.

Case No. 3:24-cv-00385-MMD-CSD

ORDER

In this habeas corpus action, on August 30, 2024, the Court screened Petitioner Jacob Angelo Massey's *pro se* habeas petition and ordered it served on Respondents; the Court also granted his motion for appointment of counsel. (ECF No. 3.) Appointed counsel—the Federal Public Defender for the District of Nevada—appeared for Massey on September 25, 2024, and filed an amended petition for writ of habeas corpus on his behalf on June 24, 2025. (ECF Nos. 8, 9, 25.)

On May 21, 2025, Massey, acting *pro se*, filed a document entitled "Motion for Consideration of [Counsel's] Behavior." (ECF No. 19 ("Motion for Consideration").) In that motion, Massey complained about the performance of counsel in investigating his case and preparing his amended petition, but beyond "consideration of [counsel's] behavior," Massey requested no other action on the part of the Court. (*Id.*) Attached as exhibits are correspondence between Massey and his counsel. (*Id.*) On June 10, the Court ordered Massey's counsel to respond to the Motion for Consideration, under seal and *ex parte*. (ECF No. 22.) Counsel filed the response, as directed, on July 14. (ECF No. 27 (sealed).) Counsel's response indicates that the disagreement between Massey and his counsel has been resolved. The Court will thus grant Massey's Motion for Consideration to the

1 extent he requests only consideration of counsel's performance; the Court has done so,  
2 and determines that no further Court action is warranted.<sup>1</sup>

3 On June 24, 2025, counsel filed for Massey a Motion for Stay and Abeyance,  
4 requesting that this case be stayed while certain state-court proceedings are completed.  
5 (ECF No. 23 ("Motion for Stay").) On July 8, Respondents filed an opposition to the Motion  
6 for Stay. (ECF No. 26.) Massey was due to file a reply by July 15. See LR 7-2(b). On July  
7 15, Massey filed a Motion for Extension of Time, requesting a 7-day extension, to July 22.  
8 Massey's counsel states that the extension is necessary in order to effectively reply to the  
9 opposition to the Motion for Stay, given counsel's obligations in other cases. Massey's  
10 counsel represents that Respondents do not oppose extension of time. The Court finds  
11 that the request is made in good faith and not solely for the purpose of delay, and that  
12 there is good cause to grant the extension of time requested.

13 It is therefore ordered that Petitioner's *pro se* "Motion for Consideration of  
14 [Counsel's] Behavior" (ECF No. 19) is granted. The Court has considered counsel's  
15 performance as requested by Petitioner.

16 The Clerk of Court is further directed to place Petitioner's "Motion for Consideration  
17 of [Counsel's] Behavior" (ECF No. 19) under seal.

18 It is further ordered that Petitioner's Motion for Extension of Time (ECF No. 28) is  
19 granted. Petitioner will have until and including July 22, 2025, to file a reply in support of  
20 the Motion for Stay (ECF No. 23).

21 DATED THIS 16<sup>th</sup> Day of July 2025.

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23 

24 MIRANDA M. DU  
UNITED STATES DISTRICT JUDGE

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26 <sup>1</sup>In their response to Massey's *pro se* Motion for Consideration, counsel requests  
27 that the Motion be placed under seal. The Court finds that there is good cause to place  
28 Massey's *pro se* Motion for Consideration under seal, as it contains attorney-client  
communications and information about counsel's impressions of the strengths and  
weaknesses of Massey's petition. The Court will order Massey's *pro se* Motion sealed.